

HB 2215 - DIGEST

Finds that the destruction and fear generated by gangs in many communities have greatly elevated the critical importance of enacting effective measures to combat gang-related crime. Communities overwhelmed by violent gang activity must have relief from the blight of gang crime before revitalization, initiatives to strengthen families, school improvements, and other desired interventions can succeed. Law enforcement and prosecutors require assistance to combat this clear and present danger to the law-abiding residents of Washington. They must have the tools they need to aggressively combat gang-related crime and build strong cases that remove violent gang members from the streets. They need what criminal gang-related definitions clearly stated in state law so they can collect and share critical information with other law enforcement agencies and coordinate enforcement strategies across jurisdictional lines. They also need specific sanctions and sentencing enhancements to ensure that those who commit gang-related crimes are held fully accountable for the harm and suffering they inflict on society.

Declares it is the intent of this act to provide the criminal justice community with the effective tools they need to better protect the citizens of Washington from gang-related crime.

Provides that a person commits the offense of criminal gang intimidation if the person threatens another person with bodily injury because the other person refuses to join or has attempted to withdraw from a gang, as defined in this act. Criminal gang intimidation is a class B felony.

Provides that a person commits the offense of school criminal gang intimidation if the person threatens another person with bodily injury because the other person refuses to join or has attempted to withdraw from a gang, as defined in RCW 28A.600.455, if the person who threatens the victim or the victim attends or is registered in a public or alternative school. School criminal gang intimidation is a class C felony.

Provides that a person is guilty of tagging/gang graffiti if, as part of a gang-related offense as defined by this act, he or she knowingly and maliciously causes physical damage to the property of another.

Declares that tagging/gang graffiti is a gross misdemeanor.

Declares that tagging/gang graffiti is a class C felony if the person has previously been convicted under this act; or has previously been convicted of any other gang-related offense as defined by this act.

Provides that additional times shall be added to the standard sentence range for felony crimes, if the offender or an accomplice was found to be either a gang member or

associate as defined in this act, and the offense for which the offender is being sentenced is a gang-related offense as defined in this act. If the offender is being sentenced for more than one offense, the gang sentencing enhancement or enhancements must be added to the total period of confinement for all offenses, regardless of which underlying offense is subject to a gang sentencing enhancement.

Creates an anticriminal gang task force for the purpose of evaluating the problem of gang-related crime in Washington state.

Requires the task force to evaluate and make recommendations regarding the following: (1) Additional legislative measures needed to combat gang-related crime;

(2) The creation and operation of a statewide gang information database;

(3) Recommended reforms to the juvenile justice system for gang-related juvenile offenses;

(4) Recommended best practices for preventing gang membership; and

(5) The adoption of a California-style civil antigang injunction.

Directs the task force to report its findings and recommendations to the attorney general, governor, and appropriate committees of the legislature by January 1, 2008.

Appropriates the sum of fifty thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the state general fund to the attorney general for the purposes of providing staffing and support to the anticriminal gang task force.

Appropriates the sum of one hundred thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2008, from the state general fund to the attorney general for the purposes of providing staffing and support to the anticriminal gang task force.

Appropriates the sum of, or as much thereof as may be necessary, for the fiscal year ending June 30, 2007, from the state general fund to the superintendent of public instruction for the purposes of creating and distributing "Gang Indicators" brochures under this act.